

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

<b>Case No.</b>	CV 13-7081 JSL (MRW)	<b>Date</b>	December 4, 2013
<b>Title</b>	Howard v. Baca		

<b>Present: The Honorable</b>	Michael R. Wilner
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Veronica McKamie

n/a

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Plaintiff:

Attorneys Present for Defendant:

n/a

n/a

**Proceedings:** (IN CHAMBERS) ORDER TO SHOW CAUSE RE: DISMISSAL OF ACTION

In October 2013, the Court dismissed Plaintiff's civil rights complaint for failure to properly state a claim after screening the complaint under the Prison Litigation Reform Act. (Docket # 5.) The Court's dismissal was without prejudice and allowed Plaintiff the opportunity to file an amended complaint that properly asserted claims against defendants. (Id. at 5.) The Court directed Plaintiff to file an amended complaint or a notice of voluntary dismissal by November 8, 2013. The Court expressly advised Plaintiff that his failure to respond to the order may lead the Court to recommend that the action be dismissed under Federal Rule of Civil Procedure 41(b) for failure to prosecute. To date, however, Plaintiff has not filed an amended complaint responsive to the Court's order.

Therefore, the Court orders Plaintiff to show cause why the action should not be summarily dismissed. Plaintiff is required to file a notice of voluntary dismissal / amended complaint and an explanation as to the delay in filing this pleading by or before December 29, 2013.